

PATENT
Attorney Docket No. MSA001

RECEIVED
TECH CENTER 1600/2900

FEB 15 2002

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Duff et al.)
Application No.: 09/247,874)
Filed: February 10, 1999)
For: *Therapeutics and Diagnostics Based*)
on a Novel IL-1B Mutation)
Customer Number: 25181)

Art Unit: 1632

Examiner:
Schnizer, R.

RECEIVED

FEB 28 2002

TECH CENTER 1600/2900

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, D.C. 20231 on January 3, 2002.

Kristen Willett

Signed: Kristen Willett

BOX RCE

Commissioner for Patents
Washington, DC 20231

STATEMENT OF SMALL ENTITY STATUS

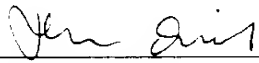
Sir:

In accordance with 37 C.F.R. § 1.27(c), Applicants assert Small Entity Status. A similar assertion was made in the Response filed March 2, 2001, but appears have gone unnoticed. The fees accompanying this Request for Continued Examination are in accordance with the small entity status.

Respectfully submitted,
Foley, Hoag & Eliot LLP

Dated: January 3, 2002

Patent Group
Foley, Hoag & Eliot LLP
One Post Office Square
Boston, MA 02109-2170
Tel.: (617) 832-1000
Fax: (617) 832-7000

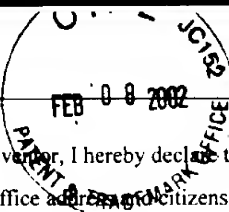


John D. Quisel
Reg. No. 47,874
Agent for Applicants

TECH CENTER 1600/2900

FEB 15 2002

RECEIVED



DECLARATION FOR PATENT APPLICATION

Docket Number MSA-004.01

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Therapeutics and Diagnostics Based on a Novel II-1B Mutation

the specification of which (check one)

☐ is attached hereto.

☒ was filed on 02/10/99 as United States Application Number or PCT International Application Number 09/247,874, and was amended on Date (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulation, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

☐ Yes ☐ No

(Number) (Country) (Day/Month/Year Filed)

(Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States Provisional application(s) listed below.

☐ Yes ☐ No

(Application Number) (Filing Date)

(Application Number) (Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number) (Filing Date)

(Status: patented, pending, abandoned)

(Application Number) (Filing Date)

(Status: patented, pending, abandoned)

I hereby appoint Beth E. Arnold, Reg. No. 35,430; Isabelle Clauss, Reg. No. 47,326; Kirk A. Damman, Reg. No. 42,461; Stephen B. Deutsch, Reg. No. 46,663; William D. DeVaul, Reg. No. 42,483; Jason Gish, Reg. No. 42,581; Dana Gordon, Reg. No. 44,719; Robert A. Greenberg, Reg. No. 44,133; Jennifer K. Holmes, Reg. No. 46,778; David A. Lane, Reg. No. 39,261; W. Hugo Liepmann, Reg. No. 20,407; Robert A. Mazzaresse, Reg. No. 42,852; Jim Olesen, Reg. No. 46,967; Kevin A. Oliver, Reg. No. 42,049; Chinh H. Pham, Reg. No. 39,329; Philip C. Swain, Reg. No. 32,376; Kingsley L. Taft, Reg. No. 43,946; John Quisel, Reg. No. P-47,874; Anita Varma, Reg. No. 43,221; Sharon Webb, Reg. No. 47,172; and John L. Welch, Reg. No. 28,129 as attorneys/agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to John D. Quisel at telephone number (617) 832-1272.

Address all correspondence to:

Customer Id No: 25181

Patent Group
Foley, Hoag & Eliot LLP
One Post Office Square
Boston, Ma. 02109-2170

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Francesco S. di Giovine, MD, Ph.D.

Inventor's signature: *Francesco S. di Giovine*

Date: 5/12/01

Residence: 3 Tetney Road, Ranmoor, Sheffield S10 3GZ England

Citizenship: Italy

Post Office Address: Same

☐ Additional inventors are being named separately numbered sheets attached hereto.

Full name of second joint inventor (given name, family name): Gordon W. Duff

Inventor's signature: [Signature]

Residence: 18 Ashgate Road, Sheffield, S10 3BZ, South Yorkshire, England

Post Office Address: Same

Date: 4/12/01

Citizenship: UK

Full name of third joint inventor (given name, family name): _____

Inventor's signature: _____

Residence: _____

Post Office Address: _____

Date: _____

Citizenship: _____

Full name of fourth joint inventor (given name, family name): _____

Inventor's signature: _____

Residence: _____

Post Office Address: _____

Date: _____

Citizenship: _____

Full name of fifth joint inventor (given name, family name): _____

Inventor's signature: _____

Residence: _____

Post Office Address: _____

Date: _____

Citizenship: _____

RECEIVED
FEB 15 2002
TECH CENTER 1600/2900

RECEIVED
FEB 28 2002
TECH CENTER 1600/2900

OIP
FEB 08 2002
PATENT & TRADE MARK OFFICE

DECLARATION FOR PATENT APPLICATION

Docket Number MSA-004.01

RECEIVED
FEB 15 2002
TECH CENTER 1600/2900

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Therapeutics and Diagnostics Based on a Novel IL-1B Mutation

the specification of which (check one)

☐ is attached hereto.
☒ was filed on 02/10/99 as United States Application Number or PCT International Application Number 09/247,874 and was amended on Date (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulation, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for prior inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

FEB 28 2002

Priority Claimed
☐ Yes ☐ No

| | | |
|-------------------|--------------------|---------------------------------|
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) |

TECH CENTER 1600/2900

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States Provisional application(s) listed below.

| | |
|-------------------------------|------------------------|
| _____ (Application Number) | _____ (Filing Date) |
| _____ (Application Number) | _____ (Filing Date) |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| | | |
|-------------------------------|------------------------|---|
| _____ (Application Number) | _____ (Filing Date) | _____ (Status: patented, pending, abandoned) |
| _____ (Application Number) | _____ (Filing Date) | _____ (Status: patented, pending, abandoned) |

I hereby appoint Beth E. Arnold, Reg. No. 35,430; Isabelle Claus, Reg. No. 47,326; Kirk A. Damman, Reg. No. 42,461; Stephen B. Deutsch, Reg. No. 46,663; William D. DeVaul, Reg. No. 42,483; Jason Gish, Reg. No. 42,581; Dana Gordon, Reg. No. 44,719; Robert A. Greenberg, Reg. No. 44,133; Jennifer K. Holmes, Reg. No. 46,778; David A. Lane, Reg. No. 39,261; W. Hugo Liepmann, Reg. No. 20,407; Robert A. Mazzaresa, Reg. No. 42,852; Jim Olesen, Reg. No. 46,967; Kevin A. Oliver, Reg. No. 42,049; Chinh H. Pham, Reg. No. 39,329; Philip C. Swain, Reg. No. 32,376; Kingsley L. Taft, Reg. No. 43,946; John Quisel, Reg. No. P-47,874; Anita Varma, Reg. No. 43,221; Sharon Webb, Reg. No. 47,172; and John L. Welch, Reg. No. 28,129 as attorneys/agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to John D. Quisel at telephone number (617) 832-1272.

Address all correspondence to: Customer Id No: 25181
Patent Group
Foley, Hoag & Elliot LLP
One Post Office Square
Boston, Ma. 02109-2170

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Francesco S. di Giovanni, MD, Ph.D.
Inventor's signature: _____ Date: _____
Residence: 1 Tenney Road, Rammoor, Sheffield S10 3GZ, England Citizenship: Italy
Post Office Address: Same

☐ Additional inventors are being named separately numbered sheets attached hereto.

Full name of second joint inventor (given name, family name): Gordon W. Duff

Inventor's signature: _____

Date: _____

Residence: 11 Ashgate Road, Sheffield, S10 3BZ, South Yorkshire, England

Citizenship: UK

Post Office Address: Same

Full name of third joint inventor (given name, family name): Kenneth S. Kornman

Inventor's signature: Kenneth S. Kornman

Date: 2-Jan-02

Residence: 920 Centre Street, Newton, MA 02459 U.S.A.

Citizenship: US

Post Office Address: Same

Full name of fourth joint inventor (given name, family name): _____

Inventor's signature: _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

Full name of fifth joint inventor (given name, family name): _____

Inventor's signature: _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____